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EXTRAORDINARY

PART II—Section 3

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MINISTRY OF LAW

NOTIFICATION

New Delhi, the 19th February, 1955

S.R.O. 432.—In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (XLIII of 1951), the Central Government after consulting the Election Commission, hereby directs that the following further amendments shall be made in the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951, namely:—

In the said Rules—

(1) for rule 20, the following rule shall be substituted, namely:—

“20. *Design and distinguishing marks of ballot papers.*—(1) Every ballot paper shall bear a serial number and shall be of such design as the Election Commission may decide.

(2) The Election Commission may direct that before any ballot paper is delivered to an elector at a polling station it shall be marked with such distinguishing mark as may be specified in the direction, and when any such direction has been issued, the Returning Officer shall provide at the polling station instruments for stamping the distinguishing mark on the ballot papers.”;

(2) rule 28 shall be omitted;

(3) in rule 47, for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) A ballot paper contained in a ballot box shall be rejected—

(a) if it bears any mark or writing by which the elector can be identified,

(b) if it is a spurious ballot paper,

(c) if it has been so damaged or mutilated that its identity as a genuine ballot paper cannot be established,

(d) if it bears a serial number, or is of a design, different from the serial numbers or, as the case may be, design, of the ballot papers authorised for use at the particular polling station or polling booth; or

(e) if it does not bear any mark which it should have borne under the provisions of rule 20:

Provided that where the Election Commission, on being satisfied that any such defect as is mentioned in clause (d) or clause (e) has, in respect of all or any ballot papers used at a polling station or polling booth, been caused by the mistake or failure on the part of the presiding officer or polling officer concerned, has directed that the defect should be overlooked, a ballot paper shall not be rejected only on the ground of such defect under clause (d) or clause (e).”.

[No. F. 47(2)/54-L.]

K. Y. BHANDARKAR, Secy.

